

Appl. No. 10/806,303
Amdt. dated September 28, 2009
Reply to Office Action of April 28, 2009

Amendments to the Drawings:

Replacement drawings for Figures 1-12 are being submitted herewith.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

At the time of the Final Office Action dated April 28, 2009 (hereinafter, "Office Action"), claims 1-32 were pending in the present application. In the Final Office Action, claims 1-32 were rejected under 35 U.S.C. § 103(a).

Applicants respectfully respond to the Office Action.

A. Claims 1-4, 7-13, 15-21, 24-28 and 30-32 Rejected Under 35 U.S.C. § 103(a)

Claims 1-4, 7-13, 15-21, 24-28 and 30-32 stand rejected under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2004/0113791 to Salim et al. (hereinafter, "Salim") in view of U.S. Patent Application Publication No. 2005/0021751 to Block et al. (hereinafter, "Block"). Applicants respectfully request reconsideration in view of the following remarks.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398, 406 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966)). As the Board of Patent Appeals and Interferences has recently confirmed, "obviousness requires a suggestion of all limitations in a claim." In re Wada and Murphy, Appeal 2007-3733 (citing CFMT, Inc. v. Yieldup Intern. Corp., 349 F.3d 1333, 1342 (Fed. Cir. 2003)).

Applicants submit that the cited portions of Salim and Block, taken alone or in combination, fail to teach or suggest all of the subject matter of Applicants' claims.

For example, claim 1 recites, among other subject matter, "automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device." (Emphasis added.) Applicants submit that at least this subject matter is not taught or suggested by the cited portions of Salim and Block.

In making the rejection, the Examiner acknowledges that Salim does not explicitly teach automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device. The Examiner relies on Block (FIG. 10; paragraphs [0087]-[0088]) in an attempt to cure the acknowledged deficiencies of Salim. Specifically, the Examiner suggests that the cited portions of Block disclose a data transfer mechanism that automatically attempts to send data after determining that connection is established between a source-node/reader and a target-node/host computing device. (See Detailed Office Action, page 3, paragraphs 5-6.)

In response, Applicants first note that the plain language of claim 1 clearly indicates that the automatic attempt to send stored data in the storage medium to the host computing device is done in response to determining that the object identifier reader is connected to the host computing device. Thus, there must first be a determination that the object identifier reader is connected to the host computing device. Subsequently, there is an automatic attempt to send stored data in the storage medium to the host computing device. Applicants submit that the cited portions of Block do not teach or suggest this subject matter.

For example, the cited portions of Block (FIG. 10; paragraphs [0087]-[0088]) describe a message “timeout flow” resulting from a network failure in the clustered data port services, and which results in a source node-initiated reset on a target node. This “timeout flow” begins with a user attempting to send two messages. In this regard, Applicants note that a user initiating a transmission is not an automatic attempt to send stored data.

The cited portions of Block further describe how the user’s attempt to send the messages results in a wait timeout after no acknowledgement is received. In this regard, Applicants submit that, since the user’s attempt to send the messages fails, there is, in fact, no established connection between the source node and the target node, which the Examiner suggests are equivalent to Applicants’ object identifier reader and host computing device, respectively. Given that there was no established connection at the time of attempted transmission, Applicants further submit that the cited

portions of Block fail to teach or suggest that a determination is made, prior to the user attempting to send the messages, that an object identifier reader is connected to a host computing device.

The “timeout flow” of the cited portions of Block continues when a connection status change is detected and reported to the user with a connstatus(up) call to the user. With the connection re-established, the user then initiates a resend of the two messages. Again, Applicants submit that a user-initiated resend is not an automatic attempt to send stored data in the storage medium to the host computing device.

Thus, Applicants submit that the cited portions of Block fail to teach or suggest (1) automatic attempts to send stored data in the storage medium to the host computing device, or (2) that any automatic attempts to send are made in response to a determination that the object identifier reader is connected to the host computing device.

For at least the foregoing reasons, Applicants respectfully submit that claim 1 is allowable. Claims 2-4 and 7-13, depend from claim 1 and are, therefore, allowable for at least the same reasons.

Claim 15 recites “automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device.” As discussed above, the cited portions of Salim and Block do not teach or suggest this claimed subject matter. Accordingly, Applicants respectfully submit that claim 15 is allowable.

Claim 16 recites “automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device.” As discussed above, the cited portions of Salim and Block do not teach or suggest this claimed subject matter. Accordingly, Applicants respectfully submit that claim 16 is allowable.

Claim 17 recites “automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device.” As discussed above, the cited portions of Salim and Block do not teach or

suggest this claimed subject matter. Accordingly, Applicants respectfully submit that claim 17 is allowable.

Claim 18 recites “automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device.” As discussed above, the cited portions of Salim and Block do not teach or suggest this claimed subject matter. Accordingly, Applicants respectfully submit that claim 18 is allowable. Claims 19-21 and 24-28 depend from claim 18 and are, therefore, allowable for at least the same reasons.

Claim 30 recites “automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device.” As discussed above, the cited portions of Salim and Block do not teach or suggest this claimed subject matter. Accordingly, Applicants respectfully submit that claim 30 is allowable.

Claim 31 recites “automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device.” As discussed above, the cited portions of Salim and Block do not teach or suggest this claimed subject matter. Accordingly, Applicants respectfully submit that claim 31 is allowable.

Claim 32 recites “automatically attempting to send stored data in the storage medium to the host computing device in response to determining that the object identifier reader is connected to the host computing device.” As discussed above, the cited portions of Salim and Block do not teach or suggest this claimed subject matter. Accordingly, Applicants respectfully submit that claim 32 is allowable.

B. Claims 5, 6, 14, 22, 23 and 29 Rejected Under 35 U.S.C. § 103(a)

Claims 5, 6, 14, 22, 23 and 29 stand rejected under 35 U.S.C. § 103(a) based on Salim in view of Block and further in view of U.S. Patent Application Publication No. 2005/0103854 to Zhu et al. (hereinafter, "Zhu"). Applicants respectfully request reconsideration in view of the following remarks.

Claims 5, 6 and 14 depend from claim 1. As discussed above, Applicants respectfully submit that claim 1 is allowable over the cited portions of Salim and Block. Applicants submit that the cited portions of Zhu do not cure the deficiencies of Salim and Block. Accordingly, Applicants respectfully submit that claims 5, 6 and 14 are allowable for at least the same reasons as presented above in connection with claim 1.

Claims 22, 23 and 29 depend from claim 18. As discussed above, Applicants respectfully submit that claim 18 is allowable over the cited portions of Salim and Block. Applicants submit that the cited portions of Zhu do not cure the deficiencies of Salim and Block. Accordingly, Applicants respectfully submit that claims 22, 23 and 29 are allowable for at least the same reasons as presented above in connection with claim 18.

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CONCLUSION

In view of the foregoing, Applicants respectfully submit that all pending claims in the present application are in a condition for allowance, which is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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